

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE
BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

HEATHER A. WARREN, L.P.N.
License # NP 06214800

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a licensed practical nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. On or about November 1, 2013, a letter of inquiry issued from the Board, asking, among other things, that respondent provide documentation, in the form of certificates of completion, for all continuing education completed within the last three

years. A response was received, but no documentation of continuing education was provided.¹

3. On or about January 23, 2014, another letter issued on behalf of the Board, asking respondent to provide documentation, in the form of certificates of completion, of all nursing continuing education completed since June 1, 2011. The letters of inquiry were sent to respondent's address of record by certified and regular mail. Both mailings were returned, with the regular mailing marked "return to sender" and "not deliverable as addressed/unable to forward."

3. On her 2013 renewal application, respondent indicated that she would have completed all required continuing education for the 2011-2013 renewal application by May 31, 2013.

CONCLUSIONS OF LAW

1. Respondent's failure to furnish documentation of continuing education in response to the Board's inquiry of November 1, 2013, while she furnished a response to the rest of the inquiry is interpreted as a failure to timely complete continuing education requirements for the 2011-2013 renewal period, in violation of N.J.A.C. 13:37-5.3.

2. Respondent's indication on her 2013 renewal application that she would complete all required continuing education for the 2011-2013 renewal period by May 31, 2013 constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

3. Respondent's failure to furnish the Board with a valid address of record, as indicated by the return of both the certified and regular mailings addressed to

¹ The response contains information that is at present confidential and thus is not provided as an exhibit here.

respondent, constitutes a failure to cooperate in violation of N.J.A.C. 13:45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on May 5, 2014, provisionally suspending respondent's nursing license, and imposing a reprimand and a total of \$750 in civil penalties. A copy of the Order was served upon respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

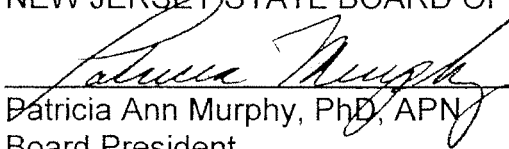
The record reflects that both the certified and regular mailings, which were sent to respondent's address of record with the Board, were returned, marked "not deliverable as addressed/unable to forward." The Board considered this matter, and found that constructive service had been effected, as the orders had been sent to respondent's address of record with the Board. A licensee cannot evade process by failing to provide the Board with a valid, current address. The Board further found that as no discrepancies had been raised with respect to the findings and conclusions of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 11th day of July, 2014,
ORDERED that:

1. Respondent's New Jersey nursing license is hereby suspended until respondent has provided proof of completion, in the form of certificates of completion, of 30 contact hours of nursing continuing education to be applied to the 2011-2013 renewal period, and until she has provided the Board with a valid address of record.
2. A reprimand is hereby imposed for respondent's violation of N.J.S.A. 45:1-21(b).
3. A \$500.00 civil penalty is hereby imposed for the violation of N.J.A.C. 13:45C-1.2, -1.3, as well as a \$250.00 civil penalty for the violation of N.J.A.C. 13:37-5.3, for a total penalty amount of \$750.00. Payment shall be in the form of a certified check or money order, made payable to the State of New Jersey, which shall be due within 21 days following the filing of this Final Order of Discipline.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Ann Murphy, PhD, APN
Board President